

**Proposed Substitute
Bill No. 251**

LCO No. 2841

**AN ACT CONCERNING REPORTING OF MUNICIPAL ELECTION
RESULTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-314 of the 2016 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 *(Effective from passage):*

4 (a) As used in this subsection, "moderator" means the moderator of
5 each state election in each town not divided into voting districts and
6 the head moderator in each town divided into voting districts. The
7 moderator shall make out a preliminary list of the votes given for each
8 of the following officers: Presidential electors, Governor, Lieutenant
9 Governor, Secretary of the State, Treasurer, Comptroller, Attorney
10 General, United States senator, representative in Congress, state
11 senator, judge of probate, state representative and registrars of voters
12 when said officers are to be chosen, as reported solely by the tabulator,
13 as provided in section 9-309, as amended by this act, in the moderator's
14 town and shall immediately transmit such preliminary list to the
15 Secretary of the State not later than midnight on election day. Once the
16 preliminary list has been transmitted to the Secretary of the State, the
17 moderator shall make [out] a duplicate list of the votes given in the
18 moderator's town for each of the following officers: Presidential
19 electors, Governor, Lieutenant Governor, Secretary of the State,

20 Treasurer, Comptroller, Attorney General, United States senator,
21 representative in Congress, state senator, judge of probate, state
22 representative and registrars of voters when said officers are to be
23 chosen. Such duplicate list shall [include a statement of] indicate the
24 total number of names on the official check list of such town and the
25 total number of names checked as having voted. The moderator shall
26 transmit such duplicate list to the Secretary of the State by electronic
27 means as prescribed by the Secretary of the State not later than forty-
28 eight hours after the close of the polls on election day. The moderator
29 shall also seal and deliver one of such duplicate lists to the Secretary of
30 the State not later than the third day after the election. Any such
31 moderator who fails to so transmit or deliver such duplicate list to the
32 Secretary of the State by the time required shall pay a late filing fee of
33 fifty dollars. The moderator shall also deliver one of such duplicate
34 lists to the clerk of such town. The Secretary of the State shall enter the
35 returns in tabular form in books kept by the Secretary for that purpose
36 and present a printed report of the same, with the name of, and the
37 total number of votes received by, each of the candidates for said
38 offices, to the General Assembly at its next session.

39 (b) As used in this subsection, "moderator" means the moderator of
40 each municipal election in each town not divided into voting districts,
41 and the head moderator in each town divided into voting districts. The
42 moderator shall [forthwith] make out a preliminary list of the votes
43 given for each municipal office elected at such municipal election, as
44 reported solely by the tabulator, as provided in section 9-309, as
45 amended by this act, in the moderator's town and shall immediately
46 transmit such preliminary list to the Secretary of the State not later
47 than midnight on election day. Once the preliminary list has been
48 transmitted to the Secretary of the State, the moderator shall make a
49 duplicate list of the votes given in the moderator's town for each
50 municipal office elected at such municipal election. Such duplicate list
51 shall indicate the total number of names on the official check list of
52 such town and the total number of names checked as having voted and
53 shall be on a form prescribed by the Secretary of the State. The
54 moderator shall transmit such duplicate list to the Secretary of the

55 State [the results of the vote for each office contested at such election]
56 by electronic means as prescribed by the Secretary of the State not later
57 than forty-eight hours after the close of the polls on election day. The
58 moderator shall also seal and deliver one of such duplicate lists to the
59 Secretary of the State not later than the third day after the election. Any
60 such moderator who fails to so transmit or deliver such duplicate list
61 to the Secretary of the State by the time required shall pay a late filing
62 fee of fifty dollars. [Such moderator shall include in such return a
63 statement of the total number of names on the official check list of such
64 town and the total number checked as having voted. Such return shall
65 be on a form prescribed by the Secretary of the State.] The moderator
66 shall also deliver one of such duplicate lists to the clerk of such town.

67 Sec. 2. Section 9-309 of the 2016 supplement to the general statutes is
68 repealed and the following is substituted in lieu thereof (*Effective from*
69 *passage*):

70 Upon the close of the polls, the moderator, in the presence of the
71 other election officials, shall immediately lock the voting tabulator
72 against voting and immediately cause the vote totals for all candidates
73 and questions to be produced. The moderator shall, in the order of the
74 offices as their titles are arranged on the ballot, read and announce in
75 distinct tones the result as shown, giving the number indicated and
76 indicating the candidate to whom such total belongs, and shall read
77 the votes recorded for each office on the ballot. The moderator shall
78 also, in the same manner, announce the vote on each constitutional
79 amendment, proposition or other question voted on. The vote so
80 announced by the moderator shall be taken down by each checker and
81 recorded on the tally sheets. Each checker shall record the number of
82 votes received for each candidate on the ballot and also the number
83 received by each person for whom write-in ballots were cast. The
84 moderator shall make [out] a preliminary list from the vote totals
85 produced by the tabulators and shall prepare such preliminary list for
86 transmission to the Secretary of the State pursuant to [subsection (a) of]
87 section 9-314, as amended by this act. After such preliminary list has
88 been transmitted to the Secretary of the State, the canvass may be

89 temporarily interrupted, during which time the moderator shall (1)
90 return the keys for all tabulators to the registrars of voters, (2) seal the
91 tabulators against voting or being tampered with, (3) prepare and seal
92 individual envelopes for all (A) write-in ballots, (B) absentee ballots,
93 (C) moderators' returns, and (D) other notes, worksheets or written
94 materials used at the election, and (4) store all such tabulators and
95 envelopes in a secure place or places directed by the registrars of
96 voters. At the end of such temporary interruption, the moderator shall
97 receive such keys from the registrars and shall take possession of and
98 break the seal on all such tabulators and envelopes for the purpose of
99 completing the canvass. The result totals shall remain in full public
100 view until the statement of canvass and all other reports have been
101 fully completed and signed by the moderator, checkers and registrars,
102 or assistant registrars, as the case may be. Any other remaining result
103 of the votes cast shall be publicly announced by the moderator not
104 later than forty-eight hours after the close of the polls. Such public
105 announcement shall consist of reading both the name of each
106 candidate, with the designating number and letter on the ballot and
107 the absentee vote as furnished to the moderator by the absentee ballot
108 counters, and also the vote cast for and against each question
109 submitted. While such announcement is being made, ample
110 opportunity shall be given to any person lawfully present to compare
111 the results so announced with the result totals provided by the
112 tabulator and any necessary corrections shall then and there be made
113 by the moderator, checkers and registrars or assistant registrars, after
114 which the compartments of the voting tabulator shall be closed and
115 locked. In canvassing, recording and announcing the result, the
116 election officials shall be guided by any instructions furnished by the
117 Secretary of the State.

118 Sec. 3. Subsection (a) of section 9-322a of the 2016 supplement to the
119 general statutes is repealed and the following is substituted in lieu
120 thereof (*Effective from passage*):

121 (a) Not later than forty-eight hours following each regular [state]
122 election, the registrars of voters shall provide the results of the votes

123 cast at such election to the town clerk. Not later than nine o'clock a.m.
124 on the third day following each regular [state] election, the head
125 moderator, registrars of voters and town clerk for each town divided
126 into voting districts shall meet to identify any error in the returns. Not
127 later than one o'clock p.m. on the third day following each regular
128 [state] election, the head moderator shall correct any error identified
129 and file an amended return with the Secretary of the State, the town
130 clerk and the registrars of voters.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-314
Sec. 2	<i>from passage</i>	9-309
Sec. 3	<i>from passage</i>	9-322a(a)

Section 1	<i>from passage</i>	9-314
Sec. 2	<i>from passage</i>	9-309
Sec. 3	<i>from passage</i>	9-322a(a)